



04-24-02

JPB

PATENT

Attorney Docket No. 3379.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kulp et al.

Examiner: N/A

Serial No: 10/038,895

Group Art Unit: N/A

Filing Date: October 24, 2001

Title: NUCLEIC ACIDS ENCODING
G PROTEIN-COUPLED RECEPTORS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-
PROVISIONAL APPLICATION**

Sir:

In response to the "Notice to File Missing Parts of Application – Filing Date Granted" mailed by the United States Patent and Trademark Office on March 15, 2002, the following documents are enclosed to complete the filing of the above-identified patent application:

1. A declaration signed by the inventors in compliance with 37 CFR 1.63;
2. Copy of Notice to File Missing Parts of Application – Filing Date Granted.

The United States Patent and Trademark Office is hereby authorized to charge the following fees to Deposit Account No. 19-2386;

Surcharge for filing declaration on a date later than the filing date of application - **\$130.00**

1. TOTAL FEE **\$130.00**

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 01-0431.

Docket No.: 3379.1

Page 2

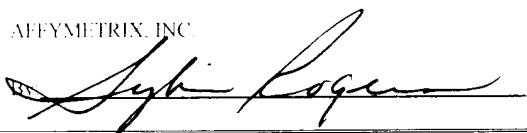
It is hereby respectfully submitted that the enclosed documents complete the filing of the above patent application and justify the filing date of October 24, 2001. Please telephone the undersigned at (408) 731-5000, if there are any questions. This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited by Express Mail to: Commissioner For Patents, Washington, D.C. 20231

On April 22, 2000

Express Mail No.: EL 675 507 203 US

AFFYMETRIX, INC.



Respectfully submitted,


Wei Zhou
Reg. No. 44,419

Legal Department
Affymetrix, Inc.
3380 Central Expressway
Santa Clara, CA 95051
Tel: 408/731-5000
Fax: 408/731-5392

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

APR 22 2002
U.S. PATENT & TRADEMARK OFFICE

TOTAL AMOUNT OF PAYMENT (\$)

130

Complete if Known	
Application Number	10/038 895
Filing Date	10/24/01
First Named Inventor	Kulp, et al
Examiner Name	TBD
Group / Art Unit	1623
Attorney Docket No	3379 1

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																																																									
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to</p> <p>Deposit Account Number 01-0431</p> <p>Deposit Account Name Affymetrix, Inc</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>105</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>127</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>109</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>90*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,140*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>**</td><td>115</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>116</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>500</td><td>117</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>118</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,630</td><td>128</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>321</td><td>119</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>121</td><td>120</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>181</td><td>121</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,110</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>140</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,180</td><td>141</td><td>640</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,80</td><td>142</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>400</td><td>143</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>621</td><td>144</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>121</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>146</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>149</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>140</td><td>179</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>300</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (1) (\$0)</td> <td colspan="4">SUBTOTAL (3) (\$130)</td> </tr> <tr> <td colspan="8">Other fee (specify)</td> </tr> <tr> <td colspan="8">*Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	105	65	Surcharge - late filing fee or oath	130	127	50	127	25	Surcharge - late provisional filing fee or cover sheet		139	130	109	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	90*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,140*	113	1,840*	Requesting publication of SIR after Examiner action		115	**	115	55	Extension for reply within first month		116	400	116	200	Extension for reply within second month		117	500	117	460	Extension for reply within third month		118	1,440	118	720	Extension for reply within fourth month		128	1,630	128	980	Extension for reply within fifth month		119	321	119	160	Notice of Appeal		120	121	120	160	Filing a brief in support of an appeal		121	181	121	140	Request for oral hearing		138	1,110	138	1,510	Petition to institute a public use proceeding		140	110	140	55	Petition to revive – unavoidable		141	1,180	141	640	Petition to revive – unintentional		142	1,80	142	640	Utility issue fee (or reissue)		143	400	143	230	Design issue fee		144	621	144	310	Plant issue fee		122	121	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17 (q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	146	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	149	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	140	179	370	Request for Continued Examination (RCE)		169	300	169	900	Request for expedited examination of a design application		SUBTOTAL (1) (\$0)				SUBTOTAL (3) (\$130)				Other fee (specify)								*Reduced by Basic Filing Fee Paid							
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																								
105	130	105	65	Surcharge - late filing fee or oath	130																																																																																																																																																																																																								
127	50	127	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																									
139	130	109	130	Non-English specification																																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																									
112	90*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																									
113	1,140*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																									
115	**	115	55	Extension for reply within first month																																																																																																																																																																																																									
116	400	116	200	Extension for reply within second month																																																																																																																																																																																																									
117	500	117	460	Extension for reply within third month																																																																																																																																																																																																									
118	1,440	118	720	Extension for reply within fourth month																																																																																																																																																																																																									
128	1,630	128	980	Extension for reply within fifth month																																																																																																																																																																																																									
119	321	119	160	Notice of Appeal																																																																																																																																																																																																									
120	121	120	160	Filing a brief in support of an appeal																																																																																																																																																																																																									
121	181	121	140	Request for oral hearing																																																																																																																																																																																																									
138	1,110	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																									
140	110	140	55	Petition to revive – unavoidable																																																																																																																																																																																																									
141	1,180	141	640	Petition to revive – unintentional																																																																																																																																																																																																									
142	1,80	142	640	Utility issue fee (or reissue)																																																																																																																																																																																																									
143	400	143	230	Design issue fee																																																																																																																																																																																																									
144	621	144	310	Plant issue fee																																																																																																																																																																																																									
122	121	122	130	Petitions to the Commissioner																																																																																																																																																																																																									
123	50	123	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																																									
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																									
146	740	146	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																									
149	740	149	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																									
179	140	179	370	Request for Continued Examination (RCE)																																																																																																																																																																																																									
169	300	169	900	Request for expedited examination of a design application																																																																																																																																																																																																									
SUBTOTAL (1) (\$0)				SUBTOTAL (3) (\$130)																																																																																																																																																																																																									
Other fee (specify)																																																																																																																																																																																																													
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																																													
<p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td> </td> <td>-20 ** = 0</td> <td> </td> <td>= 0</td> </tr> <tr> <td>Independent Claims</td> <td>-3 ** = 0</td> <td> </td> <td>= 0</td> </tr> <tr> <td>Multiple Dependent</td> <td> </td> <td> </td> <td>= 0</td> </tr> </tbody> </table>				Total Claims	Extra Claims	Fee from below	Fee Paid		-20 ** = 0		= 0	Independent Claims	-3 ** = 0		= 0	Multiple Dependent			= 0																																																																																																																																																																																										
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																																										
	-20 ** = 0		= 0																																																																																																																																																																																																										
Independent Claims	-3 ** = 0		= 0																																																																																																																																																																																																										
Multiple Dependent			= 0																																																																																																																																																																																																										
<p>3. BASIC FILING FEE</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table>				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee		106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee																																																																																																																																																																							
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																								
101	740	201	370	Utility filing fee																																																																																																																																																																																																									
106	330	206	165	Design filing fee																																																																																																																																																																																																									
107	510	207	255	Plant filing fee																																																																																																																																																																																																									
108	740	208	370	Reissue filing fee																																																																																																																																																																																																									
114	160	214	80	Provisional filing fee																																																																																																																																																																																																									
<p>SUBTOTAL (1) (\$0)</p>																																																																																																																																																																																																													
<p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td> </td> <td>-20 ** = 0</td> <td> </td> <td>= 0</td> </tr> <tr> <td>Independent Claims</td> <td>-3 ** = 0</td> <td> </td> <td>= 0</td> </tr> <tr> <td>Multiple Dependent</td> <td> </td> <td> </td> <td>= 0</td> </tr> </tbody> </table>				Total Claims	Extra Claims	Fee from below	Fee Paid		-20 ** = 0		= 0	Independent Claims	-3 ** = 0		= 0	Multiple Dependent			= 0																																																																																																																																																																																										
Total Claims	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																																										
	-20 ** = 0		= 0																																																																																																																																																																																																										
Independent Claims	-3 ** = 0		= 0																																																																																																																																																																																																										
Multiple Dependent			= 0																																																																																																																																																																																																										
<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>105</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>127</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>109</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>90*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,140*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>**</td><td>115</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>116</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>500</td><td>117</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>118</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,630</td><td>128</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>321</td><td>119</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>121</td><td>120</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>181</td><td>121</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,110</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>140</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,180</td><td>141</td><td>640</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,80</td><td>142</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>400</td><td>143</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>621</td><td>144</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>121</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>146</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>149</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>140</td><td>179</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>300</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	105	65	Surcharge - late filing fee or oath	130	127	50	127	25	Surcharge - late provisional filing fee or cover sheet		139	130	109	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	90*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,140*	113	1,840*	Requesting publication of SIR after Examiner action		115	**	115	55	Extension for reply within first month		116	400	116	200	Extension for reply within second month		117	500	117	460	Extension for reply within third month		118	1,440	118	720	Extension for reply within fourth month		128	1,630	128	980	Extension for reply within fifth month		119	321	119	160	Notice of Appeal		120	121	120	160	Filing a brief in support of an appeal		121	181	121	140	Request for oral hearing		138	1,110	138	1,510	Petition to institute a public use proceeding		140	110	140	55	Petition to revive – unavoidable		141	1,180	141	640	Petition to revive – unintentional		142	1,80	142	640	Utility issue fee (or reissue)		143	400	143	230	Design issue fee		144	621	144	310	Plant issue fee		122	121	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17 (q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	146	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	149	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	140	179	370	Request for Continued Examination (RCE)		169	300	169	900	Request for expedited examination of a design application																													
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																								
105	130	105	65	Surcharge - late filing fee or oath	130																																																																																																																																																																																																								
127	50	127	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																									
139	130	109	130	Non-English specification																																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																									
112	90*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																									
113	1,140*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																									
115	**	115	55	Extension for reply within first month																																																																																																																																																																																																									
116	400	116	200	Extension for reply within second month																																																																																																																																																																																																									
117	500	117	460	Extension for reply within third month																																																																																																																																																																																																									
118	1,440	118	720	Extension for reply within fourth month																																																																																																																																																																																																									
128	1,630	128	980	Extension for reply within fifth month																																																																																																																																																																																																									
119	321	119	160	Notice of Appeal																																																																																																																																																																																																									
120	121	120	160	Filing a brief in support of an appeal																																																																																																																																																																																																									
121	181	121	140	Request for oral hearing																																																																																																																																																																																																									
138	1,110	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																									
140	110	140	55	Petition to revive – unavoidable																																																																																																																																																																																																									
141	1,180	141	640	Petition to revive – unintentional																																																																																																																																																																																																									
142	1,80	142	640	Utility issue fee (or reissue)																																																																																																																																																																																																									
143	400	143	230	Design issue fee																																																																																																																																																																																																									
144	621	144	310	Plant issue fee																																																																																																																																																																																																									
122	121	122	130	Petitions to the Commissioner																																																																																																																																																																																																									
123	50	123	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																																									
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																									
146	740	146	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																									
149	740	149	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																									
179	140	179	370	Request for Continued Examination (RCE)																																																																																																																																																																																																									
169	300	169	900	Request for expedited examination of a design application																																																																																																																																																																																																									
<p>SUBTOTAL (2) (\$0)</p>																																																																																																																																																																																																													
** or number previously paid if greater. For Reissues see above																																																																																																																																																																																																													

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Wei Zhou	Registration No. Attorney/Agent)	44 419	Telephone	408/731-5000
Signature			Date	4-22-2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/038,895	10/24/2001	David A. Kulp	3379.1

.22886
AFFYMETRIX, INC
ATTN: CHIEF IP COUNSEL, LEGAL DEPT.
3380 CENTRAL EXPRESSWAY
SANTA CLARA, CA 95051



CONFIRMATION NO. 8861
FORMALITIES LETTER



OC000000007651973

Date Mailed: 03/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

10/24/2001 10038895

100.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at**

patin21help@uspto.gov or patin3help@uspto.gov

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **10** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE